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2 UNITED STATES DISTRICT COURT

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Northern District of California

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KENNETH WALDEN,

No. C 12-5359 MEJ

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Plaintiff,

ORDER TO SHOW CAUSE

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v.

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CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

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Defendant.

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On October 17, 2012, Plaintiff Kenneth Walden brought this case pursuant to 42 U.S.C. § 405(g), seeking judicial review of the decision to deny his claim for disability benefits. Defendant's answer was filed and served on March 25, 2013. Dkt. Nos. 4, 6. Pursuant to the Procedural Order for Social Security Review Actions, Plaintiff must file a motion for summary judgment or motion for remand within 28 days of service of Defendant's answer. Dkt. No. 2. As it has been over four months since Defendant's answer and Plaintiff has yet to file any motion, the Court hereby ORDERS Plaintiff Kenneth Walden to show cause why this case should not be dismissed for failure to prosecute and failure to comply with court deadlines. Plaintiff shall file a declaration by August 29, 2013. If a responsive declaration is filed, the Court shall either issue an order based on the declaration or conduct a hearing on September 12, 2013 at 10:00 a.m. in Courtroom B, 15th Floor, 450 Golden Gate Avenue, San Francisco, California. Notice is hereby provided to Plaintiff that the Court may dismiss the case without a hearing if no responsive declaration is filed. Thus, it is imperative that Plaintiff file a written response by the deadline above.

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IT IS SO ORDERED.

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Dated: August 12, 2013

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Maria-Elena James
United States Magistrate Judge